

AN ACT

relating to the creation of the Sam Houston State University College of Osteopathic Medicine.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter D, Chapter 96, Education Code, is amended by adding Section 96.66 to read as follows:

Sec. 96.66. SAM HOUSTON STATE UNIVERSITY COLLEGE OF OSTEOPATHIC MEDICINE. (a) In this section:

(1) "Board" means the board of regents of the Texas State University System.

(2) "College" means the Sam Houston State University College of Osteopathic Medicine established under this section.

(3) "University" means Sam Houston State University.

(b) The Sam Houston State University College of Osteopathic Medicine is a college of the university and is under the management and control of the board with degrees offered under the name and authority of the university.

(c) The board may prescribe courses leading to customary degrees and may adopt rules for the operation, control, and management of the college as necessary for conducting a college of osteopathic medicine of the first class.

(d) The provost of the university, on behalf of the board, may execute and carry out an affiliation or coordinating agreement with any other entity or institution.

1 (e) The board may solicit, accept, and administer gifts and
2 grants from any public or private source for the use and benefit of
3 the college.

4 (f) In addition to the college's facilities, the board may
5 enter into agreements under which additional facilities used in the
6 college's teaching and research programs, including libraries,
7 auditoriums, research facilities, and medical education buildings,
8 may be provided by a public or private entity.

9 (g) A teaching hospital considered suitable by the board may
10 be provided by a public or private entity. The hospital may not be
11 constructed, maintained, or operated with state funds.

12 (h) Notwithstanding any other law, the university is not
13 entitled to receive any formula funding for the college.

14 SECTION 2. Section 58.002(a)(1), Education Code, is amended
15 to read as follows:

16 (1) "Resident physician" means a person who is
17 appointed a resident physician by a school of medicine in The
18 University of Texas System, the Texas Tech University System, The
19 Texas A&M University System, or the University of North Texas
20 System or by the Sam Houston State University College of
21 Osteopathic Medicine or the Baylor College of Medicine and who:

22 (A) has received a Doctor of Medicine or a Doctor
23 of Osteopathic Medicine degree from the Baylor College of Medicine
24 or from an approved school of medicine; or

25 (B) is a citizen of Texas and has received a
26 Doctor of Medicine or a Doctor of Osteopathic Medicine degree from
27 some other school of medicine that is accredited by the Liaison

1 Committee on Medical Education or by the Bureau of Professional
2 Education of the American Osteopathic Association.

3 SECTION 3. Sections 59.01(1) and (3), Education Code, are
4 amended to read as follows:

5 (1) "Medical staff or students" means medical doctors,
6 doctors of osteopathy, dentists, veterinarians, and podiatrists
7 appointed to the faculty or professional medical staff employed for
8 student health services by The University of Texas System, The
9 Texas A&M University System, the Texas Tech University System, the
10 Sam Houston State University College of Osteopathic Medicine, or
11 the University of North Texas Health Science Center at Fort Worth,
12 either full time or who, although appointed less than full time
13 (including volunteers), either devote their total professional
14 service to such appointment or provide services to patients by
15 assignment from the department chairman; and interns, residents,
16 fellows, and medical or dental students, veterinary students, and
17 students of osteopathy participating in a patient-care program in
18 The University of Texas System, The Texas A&M University System,
19 the Texas Tech University System, the Sam Houston State University
20 College of Osteopathic Medicine, or the University of North Texas
21 Health Science Center at Fort Worth.

22 (3) "Board" means the board of regents of The
23 University of Texas System, the board of regents of The Texas A&M
24 University System, the board of regents of the Texas Tech
25 University System, the board of regents of the Texas State
26 University System, or the board of regents of the University of
27 North Texas.

1 SECTION 4. Sections 59.02(a) and (c), Education Code, are
2 amended to read as follows:

3 (a) Each board may establish a separate self-insurance fund
4 to pay any damages adjudged in a court of competent jurisdiction or
5 a settlement of any medical malpractice claim against a member of
6 the medical staff or students arising from the exercise of the
7 member's [~~his~~] appointment, duties, or training with The University
8 of Texas System, The Texas A&M University System, the Texas Tech
9 University System, the Sam Houston State University College of
10 Osteopathic Medicine, or the University of North Texas Health
11 Science Center at Fort Worth.

12 (c) On the establishment of each fund, transfers to the fund
13 shall be made in an amount and at such intervals as determined by
14 the board. Each board may receive and accept any gifts or donations
15 specified for the purposes of this subchapter and deposit those
16 gifts or donations into the fund. Each board may invest money
17 deposited in the fund, and any income received shall be retained in
18 the fund. The money shall be deposited in any of the approved
19 depository banks of The University of Texas System, The Texas A&M
20 University System, the Texas Tech University System, the Texas
21 State University System, or the University of North Texas Health
22 Science Center at Fort Worth. All expenditures from the funds shall
23 be paid pursuant to approval by the boards.

24 SECTION 5. Section 61.003(5), Education Code, is amended to
25 read as follows:

26 (5) "Medical and dental unit" means The Texas A&M
27 University System Health Science Center and its component

1 institutions, agencies, and programs; the Texas Tech University
2 Health Sciences Center; the Texas Tech University Health Sciences
3 Center at El Paso; the Sam Houston State University College of
4 Osteopathic Medicine; The University of Texas Medical Branch at
5 Galveston; The University of Texas Southwestern Medical Center; The
6 University of Texas Medical School at San Antonio; The University
7 of Texas Dental Branch at Houston; The University of Texas M. D.
8 Anderson Cancer Center; The University of Texas Graduate School of
9 Biomedical Sciences at Houston; The University of Texas Dental
10 School at San Antonio; The University of Texas Medical School at
11 Houston; The University of Texas Health Science Center--South Texas
12 and its component institutions, if established under Subchapter N,
13 Chapter 74; the nursing institutions of The Texas A&M University
14 System and The University of Texas System; and The University of
15 Texas School of Public Health at Houston; and such other medical or
16 dental schools as may be established by statute or as provided in
17 this chapter.

18 SECTION 6. Section 61.501(1), Education Code, is amended to
19 read as follows:

20 (1) "Medical school" means the medical school at The
21 University of Texas Health Science Center at Houston, the medical
22 school at The University of Texas Southwestern Medical Center, the
23 medical school at The University of Texas Health Science Center at
24 San Antonio, The University of Texas Medical Branch at Galveston,
25 the medical school at The University of Texas at Austin, the medical
26 school at The University of Texas Rio Grande Valley, the medical
27 education program of The University of Texas Health Science Center

1 at Tyler, the medical school at the Texas Tech University Health
2 Sciences Center, the medical school at the Texas Tech University
3 Health Sciences Center at El Paso, the Sam Houston State University
4 College of Osteopathic Medicine, the Baylor College of Medicine,
5 the college of osteopathic medicine at the University of North
6 Texas Health Science Center at Fort Worth, or the medical school at
7 the Texas A&M University Health Science Center.

8 SECTION 7. Section 63.002(c), Education Code, is amended to
9 read as follows:

10 (c) The amount available for distribution from the fund may
11 be appropriated only for programs that benefit medical research,
12 health education, or treatment programs at the following
13 health-related institutions of higher education:

14 (1) The University of Texas Health Science Center at
15 San Antonio;

16 (2) The University of Texas M. D. Anderson Cancer
17 Center;

18 (3) The University of Texas Southwestern Medical
19 Center;

20 (4) The University of Texas Medical Branch at
21 Galveston;

22 (5) The University of Texas Health Science Center at
23 Houston;

24 (6) The University of Texas Health Science Center at
25 Tyler;

26 (7) The University of Texas Health Science
27 Center--South Texas and its component institutions, if established

1 under Subchapter N, Chapter 74;

2 (8) The Texas A&M University Health Science Center;

3 (9) the University of North Texas Health Science
4 Center at Fort Worth;

5 (10) the Texas Tech University Health Sciences Center;

6 (11) the Texas Tech University Health Sciences Center
7 at El Paso; ~~and~~

8 (12) the Sam Houston State University College of
9 Osteopathic Medicine; and

10 (13) Baylor College of Medicine, if a contract between
11 Baylor College of Medicine and the Texas Higher Education
12 Coordinating Board is in effect under Section 61.092.

13 SECTION 8. The Sam Houston State University College of
14 Osteopathic Medicine is eligible to receive funding under
15 Subchapter A, Chapter 63, Education Code, beginning with
16 allocations for the state fiscal year that begins September 1,
17 2019.

18 SECTION 9. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect September 1, 2019.

President of the Senate

Speaker of the House

I certify that H.B. No. 2867 was passed by the House on April 5, 2019, by the following vote: Yeas 139, Nays 2, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 2867 on May 15, 2019, by the following vote: Yeas 143, Nays 4, 3 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2867 was passed by the Senate, with amendments, on May 13, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor